

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDDY RODRIGUEZ,

Plaintiff,

– against –

JAMAICA ONE STOP RESTAURANT INC.,
GRAFTON ANDERSON, and JOHN DOES #1–10,

Defendants.

ORDER

16 Civ. 1507 (ER)

Ramos, D.J.:

Freddy Rodriguez brings this action against Jamaica One Stop Restaurant, Inc., Grafton Anderson, and John Does #1–10 for violations of the Fair Labor Standards Act and New York Labor Law. Doc. 1. No action has been taken in this case since August 24, 2016. Doc. 11. On April 8, 2019, the Court directed the parties to provide a status update, and neither party did so. Doc. 12. On April 6, 2020, the Court again directed the parties to submit a status report. Doc. 13. In his status report, counsel for Rodriguez advised the Court that he has been unable to reach his client. Doc. 14. The Court then scheduled a show cause hearing for May 29, 2020, advising Rodriguez that failure to appear at the hearing may result in the dismissal of his action in its entirety for failure to prosecute. Doc. 15. At the Show Cause hearing, counsel for Rodriguez reported that the Plaintiff had still been unresponsive.

For the foregoing reasons and for the reasons stated on the record on May 29, 2020, this case is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). The Clerk of Court is respectfully directed to close the case.

It is SO ORDERED.

Dated: May 29, 2020
New York, New York



Edgardo Ramos, U.S.D.J.